

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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MARY ROCHA AZEVEDO,
Plaintiff,

v.

MICHAELS STORES, INC.; and
DOES 1 to 50,
Defendants.

No. 2:24-cv-02735 WBS SCR

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STATUS (PRETRIAL SCHEDULING) ORDER

After reviewing the parties' Joint Status Report, the court hereby vacates the Status (Pretrial Scheduling) Conference scheduled for **March 10, 2025**, and makes the following findings and orders without needing to consult with the parties any further.

I. SERVICE OF PROCESS

All defendants have been served, and no further service is permitted without leave of court, good cause having been shown under Federal Rule of Civil Procedure 16(b).

1 II. JOINDER OF PARTIES/AMENDMENTS

2 No further joinder of parties or amendments to
3 pleadings will be permitted except with leave of court, good
4 cause having been shown under Federal Rule of Civil Procedure
5 16(b). See Johnson v. Mammoth Recreations, Inc., 975 F.2d 604
6 (9th Cir. 1992).

7 III. JURISDICTION/VENUE

8 Jurisdiction in this premises liability action is
9 predicated upon 28 U.S.C. § 1332, because the parties are of
10 diverse citizenship and the amount in controversy exceeds
11 \$75,000. Venue is undisputed and hereby found to be proper.

12 IV. DISCOVERY

13 The parties shall serve the initial disclosures
14 required by Federal Rule of Civil Procedure 26(a)(1) on or before
15 **April 11, 2025**.

16 The parties shall disclose experts and produce reports
17 in accordance with Federal Rule of Civil Procedure 26(a)(2) by no
18 later than **February 6, 2026**. With regard to expert testimony
19 intended solely for rebuttal, those experts shall be disclosed
20 and reports produced in accordance with Federal Rule of Civil
21 Procedure 26(a)(2) on or before **March 6, 2026**.

22 All discovery, including depositions for preservation
23 of testimony, is left open, save and except that it shall be so
24 conducted as to be completed by **April 3, 2026**. The word
25 “completed” means that all discovery shall have been conducted so
26 that all depositions have been taken and any disputes relevant to
27 discovery shall have been resolved by appropriate order if
28 necessary and, where discovery has been ordered, the order has

1 been obeyed. All motions to compel discovery must be noticed on
2 the magistrate judge's calendar in accordance with the local
3 rules of this court and so that such motions may be heard (and
4 any resulting orders obeyed) not later than **April 3, 2026**.

5 V. MOTION HEARING SCHEDULE

6 All motions, except motions for continuances, temporary
7 restraining orders, or other emergency applications, shall be
8 filed on or before **May 1, 2026**. All motions shall be noticed for
9 the next available hearing date. Counsel are cautioned to refer
10 to the local rules regarding the requirements for noticing and
11 opposing such motions on the court's regularly scheduled law and
12 motion calendar.

13 VI. FINAL PRETRIAL CONFERENCE

14 The Final Pretrial Conference is set for **July 13, 2026**,
15 at 1:30 p.m. in Courtroom No. 5. The conference shall be
16 attended by at least one of the attorneys who will conduct the
17 trial for each of the parties and by any unrepresented parties.

18 Counsel for all parties are to be fully prepared for
19 trial at the time of the Pretrial Conference, with no matters
20 remaining to be accomplished except production of witnesses for
21 oral testimony. Counsel shall file separate pretrial statements,
22 and are referred to Local Rules 281 and 282 relating to the
23 contents of and time for filing those statements. In addition to
24 those subjects listed in Local Rule 281(b), the parties are to
25 provide the court with: (1) a plain, concise statement which
26 identifies every non-discovery motion which has been made to the
27 court, and its resolution; (2) a list of the remaining claims as
28 against each defendant; and (3) the estimated number of trial

1 days.

2 In providing the plain, concise statements of
3 undisputed facts and disputed factual issues contemplated by
4 Local Rule 281(b)(3)-(4), the parties shall emphasize the claims
5 that remain at issue, and any remaining affirmatively pled
6 defenses thereto. If the case is to be tried to a jury, the
7 parties shall also prepare a succinct statement of the case,
8 which is appropriate for the court to read to the jury.

9 VII. TRIAL SETTING

10 The jury trial is set for **September 9, 2026** at 9:00
11 a.m. The parties estimate that the trial will last 10 days.

12 VIII. SETTLEMENT CONFERENCE

13 A Settlement Conference with a magistrate judge will be
14 set at the time of the Pretrial Conference. Counsel are
15 instructed to have a principal with full settlement authority
16 present at the Settlement Conference or to be fully authorized to
17 settle the matter on any terms. At least seven calendar days
18 before the Settlement Conference counsel for each party shall
19 submit a confidential Settlement Conference Statement for review
20 by the settlement judge. The Settlement Conference Statements
21 shall not be filed and will not otherwise be disclosed to the
22 trial judge.

23 IX. MODIFICATIONS TO SCHEDULING ORDER

24 Any requests to modify the dates or terms of this
25 Scheduling Order, except requests to change the date of the
26 trial, may be heard and decided by the assigned Magistrate Judge.
27 All requests to change the trial date shall be heard and decided
28 only by the undersigned judge.

IT IS SO ORDERED.

Dated: March 4, 2025



WILLIAM B. SHUBB

UNITED STATES DISTRICT JUDGE